

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA
STATE BOARD OF ELECTIONS

In re 2019 Special General Election for)
Ninth Congressional District, Union)
County Precinct 030)
_____)

Motion to Extend Voting Hours for Union County Precinct 030

Movants North Carolina Republican Party and Dan Bishop (collectively, “Movants”), pursuant to N.C. Gen. Stat. § 163A-1130, move the North Carolina State Board of Elections, by and through its Executive Director, Karen Brinson Bell, to extend the voting hours for Union County Precinct 030 by one hour and forty-five minutes, to and including 9:15 P.M. In support of this Motion, Movants show as follows:

1. The State of North Carolina is in the midst of conducting the September 10, 2019 special general election (the “Election”). Voters in Precinct 030 in Union County—one of the larger precincts in the Union County—are experiencing unforeseen difficulties casting their ballots due to general confusion about the polling place location and inaccurate information on Union County’s website regarding the location of the polling place. In multiple places on the Union County Board of Elections website, the location of Precinct 030 was not updated after it was moved on July 23, 2019. Voters in Precinct 030 arrived to vote at Grace United Methodist Church (“Grace UMC”), the previous polling location of Precinct 030, located at 3522 Secrest Short Cut Road, Monroe, NC 28110, only to find that they cannot cast their ballots there because the polling place is actually located at Cornerstone Community Church of the Nazarene (“Cornerstone Community”), located at 2707 Secrest Short Cut Road, Monroe, NC 28110. *See Exhibit 1*, Aff. of Anne Arp. This confusion, created in part by the inaccurate data on the Union County website, threatens to disenfranchise the individuals required to cast their ballots there.

2. The foregoing, unexpected interruption has resulted in numerous, properly-registered, and duly-qualified voters to be unable to cast a vote at their expected polling place. See **Exhibit 2**, Aff. of Mike Fowler. Many individuals likely cannot afford the time to drive to Cornerstone Community after initially arriving at Grace UMC—especially unexpectedly, without a reasonable amount of advance notice due to the inaccurate information on the Union County Board of Elections website—in order to vote.

3. While the Union County Board of Elections made significant efforts to communicate this change to voters via mailers and other media, inaccurate information has been, and continued to be well into election day, disseminated via the Union County website. While one source of inaccurate information on the Union County website was corrected at approximately 8:15 a.m., see **Exhibit 3**, Precinct Districts on Union County Website, another source of inaccurate information remained on the Union County Website until this afternoon. See **Exhibit 4**, Map of Precincts in Union County from Union County Website.

4. In general, under North Carolina law, polling places are open on Election Day from 6:30 A.M. through 7:30 P.M. However, the North Carolina State Board of Elections (“State Board”) is authorized to extend poll closing time by an equal number of minutes “[i]f the polls are delayed in opening for more than 15 minutes, or are interrupted for more than 15 minutes after opening.” N.C. Gen. Stat. § 163A-1130.

**INACCURATE INFORMATION DISSEMINATED BY UNION COUNTY
REGARDING THE LOCATION OF THE POLLING PLACE HAS DENIED VOTERS
A REASONABLE OPPORTUNITY TO VOTE IN VIOLATION OF STATE LAW AND
THE GUARANTEES OF THE NORTH CAROLINA CONSTITUTION**

5. The voters of Precinct 030, located at 2707 Secrest Short Cut Road, Monroe, NC 28110 (hereinafter “Polling Place”), are permitted to cast ballots for the office of North Carolina’s Ninth Congressional District, for which Movant Dan Bishop is running. Numerous

voters within Precinct 030 are members of the Republican Party and supporters of candidate Dan Bishop.

6. Voters in Precinct 030 in Union County are experiencing unforeseen interruptions due to inaccurate and confusing information on Union County's website regarding the location of the Polling Place. Relying on this inaccurate information, voters in Precinct 030 have arrived to vote at Grace UMC, located at 3522 Secrest Short Cut Road, Monroe, NC 28110, only to learn via a sign at that site that the Polling Place is actually Cornerstone Community, located at 2707 Secrest Short Cut Road, Monroe, NC 28110. This has impeded the ability of the residents of those precincts to exercise their fundamental right to vote and threatens to disenfranchise the individuals required to cast their ballots there.

7. This severe and unforeseen obstacle has caused an unknown number of voters to suffer interruption in exercising the franchise after arriving at the incorrect address due to conflicting obligations and responsibilities.

8. Many individuals likely cannot afford the time to drive to the Cornerstone Community after initially arriving at Grace UMC—especially unexpectedly, without a reasonable amount of advance notice—in order to vote. Indeed, Mike Fowler, a volunteer who stood at Grace UMC for hours today to make sure voters who tried to vote there knew where the Polling Place had relocated, personally witnessed a number of potential voters drive away from Grace UMC in the opposite direction from the new Polling Place at Cornerstone Community.

9. Because of the interruption caused by these extraordinary circumstances, the State Board is empowered to direct that the Polling Place remain open for amount of time equal to the amount of the delay and interruption thus caused. N.C. Gen. Stat. § 163A-1130. Although the Union County Board of Elections has taken efforts to correct the inaccurate information regarding the location of the Polling Place and redirect voters who were confused

by the inaccurate information, these efforts are insufficient to alleviate the burden on the right to vote of those individuals who are required to cast their ballots at the Polling Place. Notably, these efforts will not remedy the effect the inaccurate information had on voters who relied on that information prior to the Union County Board of Elections' actions. Accordingly, voters were affected by this inaccurate information at least through 8:15 a.m., which is one hour and forty-five minutes after the Polling Place opened.

10. These unexpected occurrences, which caused confusion and inaccurate information about the location of the Polling Place, effectively precluded numerous registered voters from obtaining meaningful access to the Polling Place throughout the statutorily required period, thereby frustrating N.C. Gen. Stat. § 163A-1130, and denying registered voters their statutory right to reasonable access to their polling place.

11. The fundamental right to vote of individuals required to cast their ballots at the Polling Place has been substantially burdened, and many of them risk being effectively disenfranchised as a result, which would cause irreparable injury to the voters themselves; the candidates for whom they would have voted, such as Movant Dan Bishop; and Movant NCGOP, which has a strong interest in ensuring the free and fair conduct of elections and protecting the rights of its members and nominees.

12. The public has a strong interest in ensuring that the election is conducted in a free and fair manner and that all duly qualified and properly registered voters, regardless of the polling location to which they are assigned, have equal and adequate opportunity to vote.

13. The balance of hardships supports extending the hours at the Polling Place, as the additional inconvenience for the election officials assigned there, is far exceeded by the need to ensure that the individuals required to cast their ballots at that location have

adequate opportunity to vote, and do not face substantial obstacles that far exceed those that exist in other polling locations in the precinct.

14. Movants request that their Motion be heard and granted by the full State Board of Elections.

CONCLUSION

WHEREFORE, in light of the foregoing, Movants respectfully request that the State Board, issue an order extending the voting hours for Union County Precinct 030 by one hour and forty-five minutes, to and including 9:15 p.m.

Respectfully submitted, this the 10th day of September.



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The Water Tower Building
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Raleigh, NC 27601
(919) 521-5878
*Counsel for the North Carolina
Republican Party*

Affidavit of Anne Arp

NOW COMES Anne Arp and, first being duly sworn, deposes and says as follows:

1. I am over the age of eighteen (18) and am competent to testify to the matters set forth herein. The following is true of my own personal knowledge and I otherwise believe it to be true.
2. I am a longtime resident of Union County, North Carolina.
3. It is my understanding that Precinct 30 is one of the larger precincts in terms of number of voters in Union County.
4. I intended to volunteer for Dan Bishop at Precinct 30 for the September 10, 2019 Special Election for the 9th Congressional District.
5. In order to determine where the precinct was located, my husband looked at the Union County Board of Elections website. Specifically, he reviewed the maps of the "Congressional District" and "House District" on the Union County Board of Elections website. My understanding is that both of them showed that the location of Precinct 30 was at Grace United Methodist Church ("Grace UMC"), 3522 Secrest Short Cut Road, Monroe, NC 28110. Links to these maps were located at <http://www.unioncountync.gov/government/boards-and-committees/board-elections/resources/election-maps>. Based on these maps, it was my understanding that Precinct 30 was located at Grace UMC for the September 10, 2019 election.



6. I arrived at Grace UMC between 6:00 a.m. and 6:30 a.m. on September 10, 2019.

When I arrived, I learned via a small sign at the end of the long driveway to Grace UMC that the location of Precinct 30 had changed to Cornerstone Community Church of the Nazarene ("Cornerstone Community Church"), 2707 Secrest Short Cut Road, Monroe, NC 28110.

7. The inaccurate information provided on the Union County Board of Elections website regarding the location of Precinct 30 was confusing and led me to believe that the actual location of Precinct 30 was at Grace UMC, and not Cornerstone Community Church.

FURTHER AFFIANT SAYETH NOT.

This the 10th day of September, 2019.

By:

Anne Arp

SWORN TO AND SUBSCRIBED BEFORE ME

This the 10th day of September, 2019.

Teresa P Price
Notary Public

My Commission Expires:

March 2, 2024

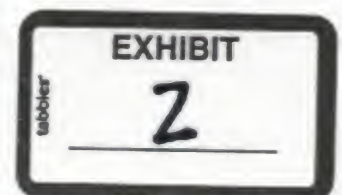


STATE OF NORTH CAROLINA)
)
COUNTY OF UNION)

Affidavit of Michael Fowler

NOW COMES Mike Fowler and, first being duly sworn, deposes and says as follows:

1. I am over the age of eighteen (18) and am competent to testify to the matters set forth herein. The following is true of my own personal knowledge and I otherwise believe it to be true.
2. I am a longtime resident of Union County, North Carolina.
3. Precinct 30 is one of the larger precincts in terms of number of voters in Union County.
4. For the September 10, 2019 Special Election for the 9th Congressional District, the location of Precinct 30 was changed from Grace United Methodist Church ("Grace UMC"), 3522 Secrest Short Cut Road, Monroe, NC 28110 to Cornerstone Community Church of the Nazarene ("Cornerstone Community Church"), 2707 Secrest Short Cut Road, Monroe, NC 28110.
5. In early morning, September 10, 2019, I learned that voters were confused as to the actual location of Precinct 30. I live close to Grace UMC and volunteered to stand at Grace UMC to make sure that all voters who were trying to vote at Grace UMC were aware that the location of Precinct 30 changed.



6. I arrived at Grace UMC at 7:10 a.m. I took pictures of the sign that was up to notify voters that the location of Precinct 30 has changed. True and accurate copies of the sign are attached hereto as Exhibit A.
7. I also walked the distance between the street and the sign, given that it is at the end of a long driveway. That distance is approximately 225 feet.
8. From 7:10 to 11:25 a.m., approximately 38 people drove down to the sign at Grace UMC. I was able to speak to at least 30 of them, and they believed that Grace UMC was their correct voting location. I directed all of the people with whom I spoke to Cornerstone Community Church as the correct location of Precinct 30.
9. In order to go to Cornerstone Community Church, people have to turn left out of the Grace UMC driveway. At least four people turned right instead of left out of the Grace UMC driveway.

FURTHER AFFIANT SAYETH NOT.


This the 10th day of September, 2019.

By:

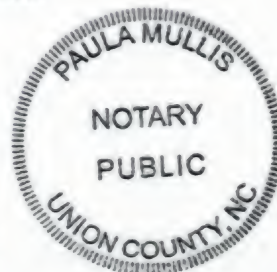

Michael Fowler

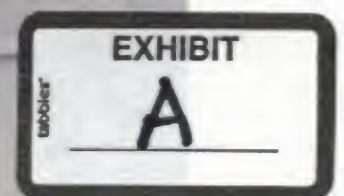
SWORN TO AND SUBSCRIBED BEFORE ME

This the 10th day of September, 2019.


Notary Public, Paula Mullis

My Commission Expires: 5-24-2022







VOTING PRECINCT #30

GRACE UNITED METHODIST CHURCH

Has permanently moved to:

CORNERSTONE COMMUNITY CHURCH

2707 Secrest Short Cut Rd. Monroe NC

PRECINCT DISTRICTS

PCT #	LOCATION	MUNICIPALITIES	CONGR	JUDICIAL	SENATE	HOUSE	SCHOOL
001	IGLESIA DE DIOS (CHURCH OF GOD)	MONROE	9	20B, 20C	35	68	1
002	J. RAY SHUTE CENTER	MONROE	9	20B, 20C	35	68	1
003	ST LUKES LUTHERAN CHURCH	MONROE	9	20B	35	68	1
004	SUTTON PARK RECREATION CENTER	MONROE	9	20B	35	69	1
005	MONROE FIRE DEPT. STATION 4	MONROE, INDIAN TRAIL	9	20C	35	69	1, 3
006	BENTON HEIGHTS PRESBYTERIAN CHURCH	MONROE, UNIONVILLE	9	20B, 20C	35	69	3
007	MT. CARMEL METHODIST CHURCH	MONROE, MINERAL SPRINGS	9	20C	35	55	1, 3
008	WINGATE COMMUNITY CENTER	WINGATE	9	20B	35	69	1, 2
009	BEAVER LANE VFD	MARSHVILLE	9	20B	35	55	1
010	THE OLD ARMORY	MONROE	9	20B	35	68	1
011	EUTO BAPTIST CHURCH		9	20C	35	55	4
012	BETHLEHEM PRESBYTERIAN CHURCH	FAIRVIEW, UNIONVILLE	9	20C	36	55	4
013	UNIONVILLE VFD	UNIONVILLE	9	20B	35	69	4
014	INDIAN TRAIL LIBRARY	INDIAN TRAIL	9	20C	35	69	5
015	STALLINGS UNITED METHODIST CHURCH	STALLINGS, INDIAN TRAIL	9	20C	35	69	5
016	HEMBY BRIDGE ELEMENTARY SCHOOL	INDIAN TRAIL, HEMBY BRIDGE, STALLINGS	9	20C	35	69	4
017A	WESLEY CHAPEL ELEMENTARY SCHOOL	INDIAN TRAIL, WESLEY CHAPEL	9	20C	35	68, 69	3
017B	SILER PRESBYTERIAN CHURCH	WEDDINGTON, WESLEY CHAPEL	9	20C	35	68	6
018	WESLEY CHAPEL VFD, WEDDINGTON STATION	WEDDINGTON	9	20C	35	68	5
019	MINERAL SPRINGS VFD	MINERAL SPRINGS, WESLEY CHAPEL	9	20C	35	55, 68	6
020A	WAXHAW VFD	WAXHAW	9	20C	35	68	2
020B	WAXHAW BIBLE CHURCH	MINERAL SPRINGS, WAXHAW, WESLEY CHAPEL	9	20C	35	68	6
021	JACKSON VFD		9	20C	35	55	2
022	TIRZAH PRESBYTERIAN CHURCH		9	20C	35	55	2
023	GRIFFITH ROAD VFD	MONROE	9	20C	35	55	1, 2
024	PROSPECT ELEMENTARY SCHOOL		9	20C	35	55	2
025	ROCK REST ELEMENTARY SCHOOL	MONROE	9	20C	35	55	1, 2
026	UNION BAPTIST CHURCH		9	20C	35	55	2
027	ALLEN'S CROSSROADS VFD		9	20C	35	55	2
028A	SANDY RIDGE ELEMENTARY SCHOOL	MARVIN, WEDDINGTON	9	20C	35	55	1, 2
028B	MARVIN ELEMENTARY SCHOOL	MARVIN	9	20C	35	68	6
028C	MARVIN AME ZION CHURCH	MARVIN	9	20C	35	68	6

EXHIBIT

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Wobler

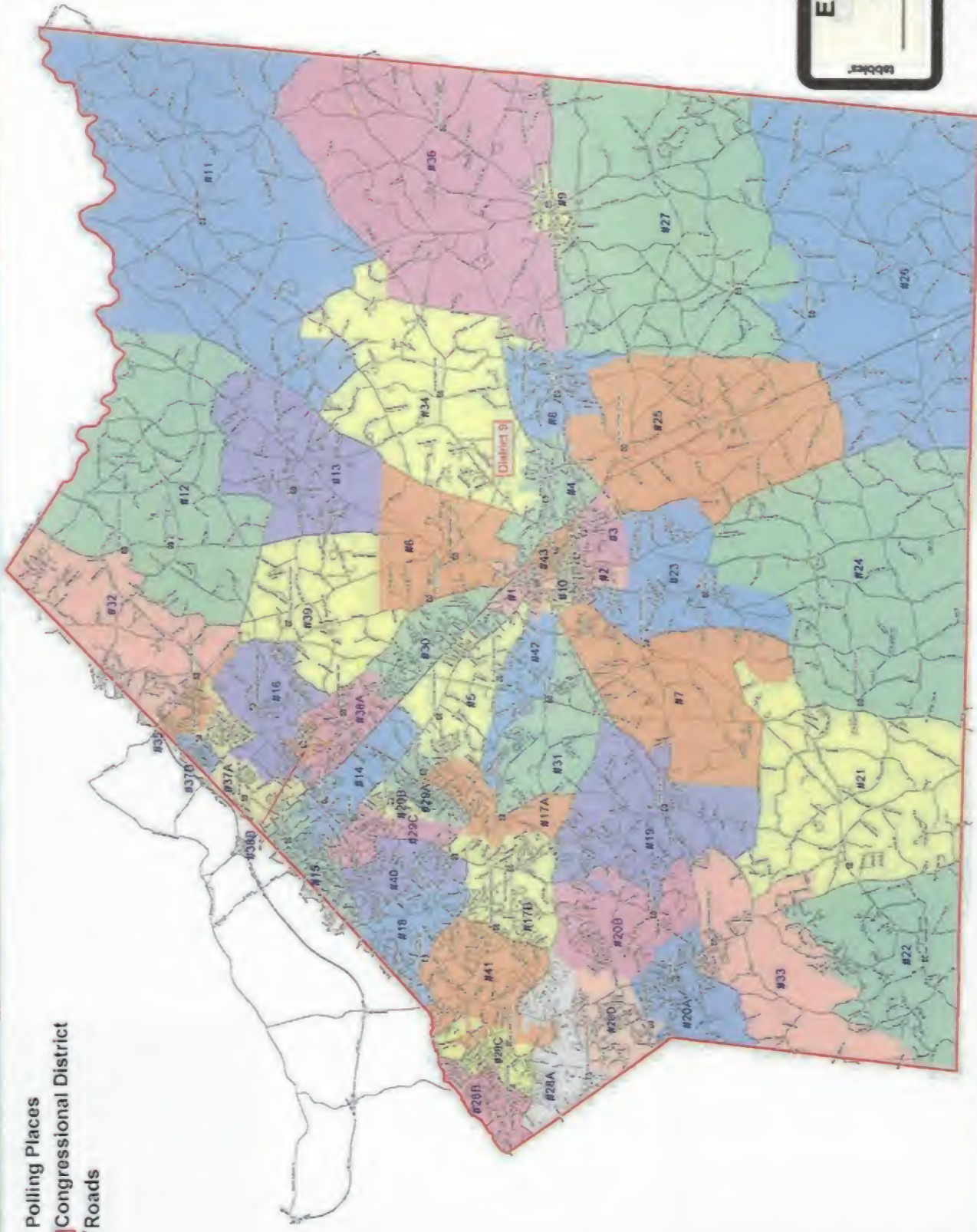


UNION COUNTY CONGRESSIONAL DISTRICT

Map prepared by the Union County Board of Commissioners
in cooperation with the North Carolina State Board of Elections
for the 2012 General Election

Map of Union County, North Carolina
showing Congressional Districts
for the 2012 General Election

- Polling Places
- Congressional District
- Roads





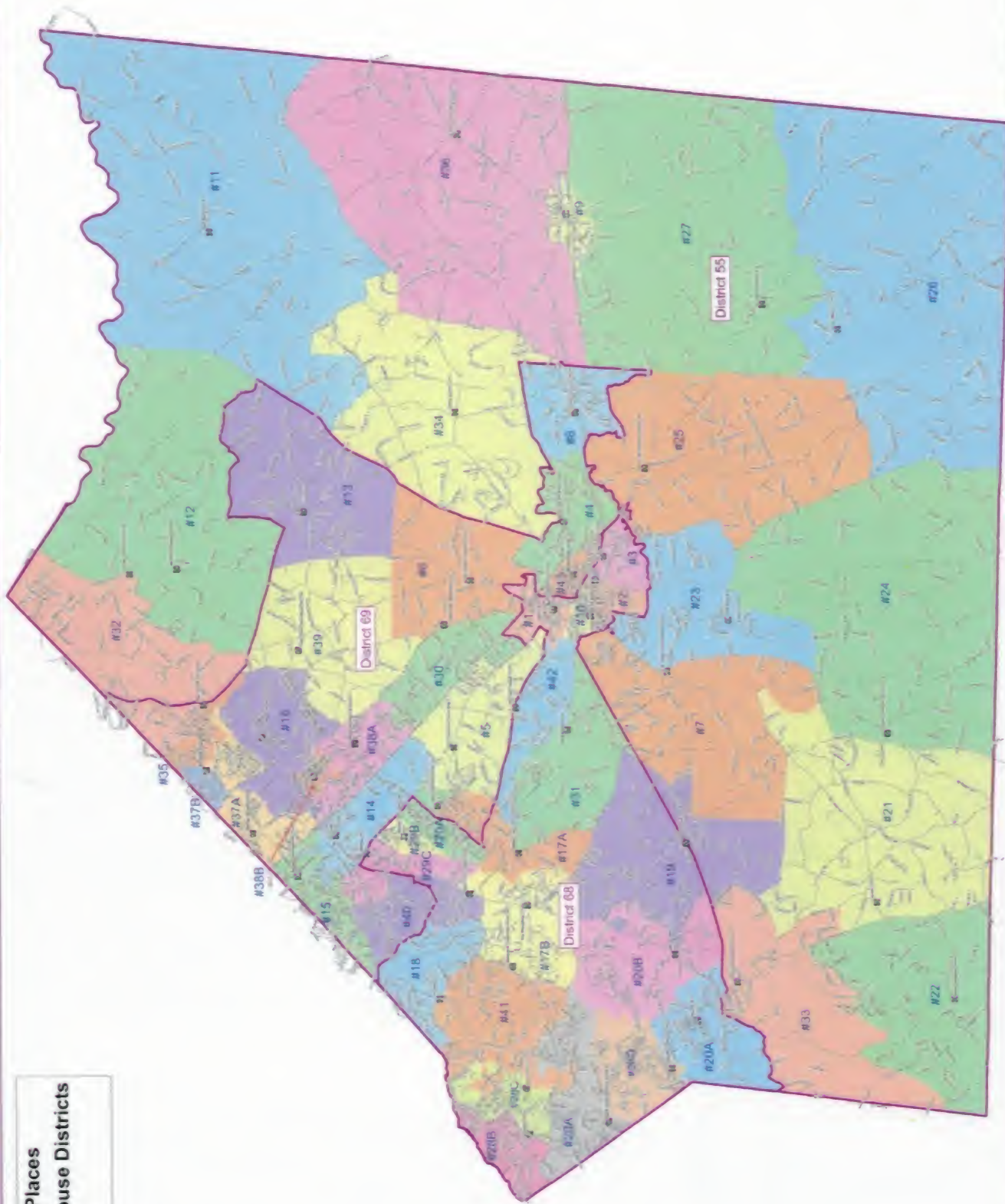
District 9

#6

#30

#1

#5



- Polling Places
- State House Districts
- Roads



UNION COUNTY STATE HOUSE DISTRICTS

Union County Board of Commissioners
 100 North Main Street
 Union, NC 28788
 Phone: 828.288.1234
 Fax: 828.288.1235

